THE HON'BLE SRI JUSTICE N.V. RAMANA

–

Writ Petition No. 5259 of 1997

–

Dated: 25.01.2006

Between:

K. Kesava Rao, S/o Bhaskar Rao, E.376055, Driver, Nidadavolu

and others.

..... PETITIONERS

AND

The Vice Chairman and Managing Director, A.P.S.R.T.C.,

Musheerabad, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

-

Writ Petition No. 5259 of 1997

Order:

By this writ petition, the petitioners seek a direction to the respondents to regularize their services from the date of their initial appointment with all consequential benefits from the date of regularization including difference of salary.

When the matter is taken up for hearing today, it is represented by the learned counsel for the petitioners as well as the learned Standing Counsel for A.P.S.R.T.C., that the subject matter of this writ petition is squarely covered by the judgment of the apex Court in Civil Appeal No. 2455 of 1999 and batch, dated 22.01.2004, wherein it was held thus.

> "In view of this peculiar situation and in order to avoid the anomalies that might otherwise ensue, while we hold that the respondent-employees have failed to establish their legal right to get the status of regular employees right from the date of their initial appointment on daily wage basis and the respective dates of regularization assigned to the respondents cannot be legally faulted, we are inclined to mould the relief in modification of the directions given in the judgments under appeal and direct as follows:
>
> If any of the Conductors, junior to the respondents in the relevant seniority list of the concerned Division/Region, have got the benefit of seniority and regularization OR are entitled to get the same by virtue of the judgments that have become final, then the respondents who are seniors to them, shall be given the same benefit on the same principle.
>
> With these directions and observations, the Civil Appeals are disposed of without costs."

Hence, following the said judgment and for the reasons mentioned therein, this Writ Petition is also disposed of in terms thereof. No costs.

_____

N.V. RAMANA, J.

Date: 25.01.2006

Nsr